

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EGBERTO DeJESUS-VAZQUEZ,

Plaintiff,

-against-

RAMON BETHENCOURT, JR., *et al.*,

Defendants.

19-CV-10587 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

On November 12, 2019, the Court received Plaintiff's submission labeled as a "Memorandum of Law" and it was assigned a new case number and opened as a new civil action. After reviewing the document, the Court concludes that the submission should have been filed as a memorandum of law in opposition to defendants' motion to dismiss in *DeJesus-Vasquez v. Bethencourt*, No. 19-CV-0697 (KMK) (LMS) (S.D.N.Y. filed Jan. 31, 2019).

The Court therefore directs the Clerk of Court to docket the complaint in this action (ECF No. 1) as a memorandum of law in opposition to defendants' motion to dismiss in case number 19-CV-0697. The Court further directs the Clerk of Court to terminate all pending matters and administratively close this action, No. 19-CV-10587. The Court also directs the Clerk of Court to assign this action to my docket, mail a copy of this order to Plaintiff, and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: December 5, 2019  
New York, New York



COLLEEN McMAHON  
Chief United States District Judge